

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

STC.UNM,

Plaintiff,

v.

Civil No. 10-CV-01077-RB-WDS

INTEL CORPORATION,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO AMEND
THE INTERIM PROTECTIVE ORDER**

THIS MATTER comes before the Court on Intel Corporation's Motion to Amend the Interim Protective Order. (Doc. 67) Two issues were presented in the motion. The first was a question regarding the manner in which Plaintiff's expert could review sensitive documents produced by Intel. The second issue was the length of the prosecution bar applicable to Plaintiff's counsel and expert(s). The parties agree that the second issue was rendered moot by an earlier ruling of the Court. The Court, having reviewed the briefs and exhibits submitted by the parties and heard oral argument, and being otherwise fully informed, finds that the motion to amend is well taken and it will be granted. Intel has produced credible evidence that its document production in this case includes extremely confidential manufacturing process information. The information is potentially worth billions of dollars and is export restricted for national security reasons. Defendant seeks to hold Plaintiff's expert to the same level of security that Defendant requires of its own employees. Such a high level of security is, by definition, inconvenient. The Court is aware that requiring Plaintiff's expert to travel from Austin to Dallas or Chicago adds an additional burden and some additional cost to the discovery process in this matter, but in the Court's opinion that additional burden and cost are

significantly outweighed by Defendant's interest in preserving the security of its most valuable documents. Accordingly, the motion to amend is granted. The Court orders that the protective order be amended so that STC is limited to a single copy of the materials, which must be kept at the offices of Plaintiff's counsel. The parties shall submit an amended confidentiality order to the Court within ten days of the date of this order.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'W.D. Schneider', is written above a horizontal line.

W. DANIEL SCHNEIDER
United States Magistrate Judge